

EXHIBIT 5

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,
MARISSA BLAIR, APRIL MUNIZ,
HANNAH PEARCE, MARCUS MARTIN,
NATALIE ROMERO, CHELSEA
ALVARADO, and JOHN DOE,

Plaintiffs,

v.

JASON KESSLER, RICHARD SPENCER,
CHRISTOPHER CANTWELL, JAMES
ALEX FIELDS, JR., VANGUARD
AMERICA, ANDREW ANGLIN,
MOONBASE HOLDINGS, LLC, ROBERT
"AZZMADOR" RAY, NATHAN DAMIGO,
ELLIOT KLINE a/k/a/ ELI MOSLEY,
IDENTITY EVROPA, MATTHEW
HEIMBACH, MATTHEW PARROTT a/k/a
DAVID MATTHEW PARROTT,
TRADITIONALIST WORKER PARTY,
MICHAEL HILL, MICHAEL TUBBS,
LEAGUE OF THE SOUTH, JEFF SCHOEP,
NATIONAL SOCIALIST MOVEMENT,
NATIONALIST FRONT, AUGUSTUS SOL
INVICTUS, FRATERNAL ORDER OF THE
ALT-KNIGHTS, MICHAEL "ENOCHE"
PEINOVICH, LOYAL WHITE KNIGHTS OF
THE KU KLUX KLAN, and EAST COAST
KNIGHTS OF THE KU KLUX KLAN a/k/a
EAST COAST KNIGHTS OF THE TRUE
INVISIBLE EMPIRE,

Defendants.

Civil Action No. 3:17-cv-00072-NKM

AFFIDAVIT OF OREN SEGAL

I, Oren Segal, being duly sworn, hereby depose and state the following under penalty of perjury:

1. I make this affidavit based on personal knowledge.
2. I am the Director of the Anti-Defamation League's Center on Extremism ("the COE"), which is recognized as a leading authority on extremism, terrorism, and hate of all forms in the United States.
3. In that capacity, I study extremist activities and trends to help law enforcement identify extremists who have crossed the line from merely espousing hateful ideologies to actually inciting violence, so as to prevent those extremists from harming others before it is too late.
4. Each year, the COE provides trainings to tens of thousands of federal, state, and local law enforcement officials across a range of agencies, and our Advanced Training School on domestic and international terror threats has trained more than 1,100 law enforcement executives.
5. For over twenty years, I have developed a particular expertise in online hate and incitement, and have worked extensively with the tech industry on their efforts to ensure that social media platforms are not exploited to instigate violence and terrorism.
6. As Director, I have personally trained numerous law enforcement and industry officials, testified before Congress on combating hate, and offered my expertise at various conferences including a White House Summit on Countering Violent Extremism.
7. Given my background, in June 2019, attorneys from Kaplan Hecker & Fink LLP approached me for my opinion on whether they should be concerned about a threatening online post from an opposing party in this pending litigation.

8. Specifically, they informed me of a message dated June 18, 2019, posted by Defendant Christopher Cantwell on the online platform “Telegram.”

9. I reviewed the message, which referenced a news article about Plaintiffs’ attorney Roberta Kaplan, including her photograph, and further stated: “After this stupid kike whore loses this fraudulent lawsuit we’re going to have a lot of fucking fun with her.”

10. Based on my general study of hate-based threats, and my familiarity with Cantwell’s specific history of making such statements, I believe that Cantwell’s post constitutes a deliberately inflammatory threat of violence.

11. In my opinion, inflammatory online postings such as this one have a significant potential to lead to on-the-ground violence from individuals who read the posts.

12. Mr. Cantwell’s post reflects a pattern of behavior common among white supremacists who are active online, whereby controversial figures (like Mr. Cantwell) call on followers to target specific individuals or communities.

13. In fact, Mr. Cantwell himself has previously engaged in online threats against multiple journalists.

14. In some cases, these threats have led his followers to join in on harassment campaigns against the targets of Mr. Cantwell’s ire.

15. I have observed a direct connection between the type of online threat that Mr. Cantwell made toward Ms. Kaplan and actual, real world consequences for the targeted individuals and communities.

16. In the last 25 years of right-wing terrorism, we have seen that roughly half of violent incidents have been perpetrated by lone actors.

17. Messages like Mr. Cantwell's provide online reinforcement and offer specific targets for individuals who may hold violent, hateful beliefs and are prepared to act upon them.

18. These messages therefore contribute to a white supremacist online echo chamber that enables and encourages violence from individuals, even those who are not necessarily directly connected to Mr. Cantwell through any official organization.

19. While it is not always possible to draw a one-to-one connection between a particular act of violence and a specific online threat from an influential actor, such threats certainly increase the risk that violence will occur.

20. It is also significant that Mr. Cantwell made his post on Telegram, a particular social media platform that tends to draw social media users that have been banned from other more mainstream social media platforms based on their extremist views.

21. Mr. Cantwell has been banned from various other platforms, including "Gab," a platform that is notoriously reticent to regulate white supremacist hate and threats, even though it has been used by confirmed right-wing terrorists.

22. In addition to the threats he has made against Ms. Kaplan and others, Mr. Cantwell hosts a podcast called "Radical Agenda," which features discussions between Mr. Cantwell and other white supremacists where they call for violence against disfavored individuals and communities.

23. For instance, on a previous episode of Radical Agenda, fellow white supremacist Andrew Auernheimer called for the murder of Jews, stating: "there is only one thing absent free speech that we can do to express our dissent and that's to slaughter you like dogs, and you're gonna have it coming and your children will deserve to die."

24. While Mr. Cantwell's threat might not reach as large of an audience on Telegram as on other platforms, his followers, which appear to number in the hundreds, are likely to be precisely those individuals who are most dangerously committed to white supremacist ideology and capable of violence.

25. I believe that in the absence of accountability for Mr. Cantwell, Ms. Kaplan and her colleagues will face an increased danger of violence as a result of Mr. Cantwell's threatening posts.

Dated: July 2, 2019

New York, New York




Oren Segal

Sworn to before me this 2nd day of July, 2019



Notary public **CERTIFICATE OF CONFORMITY**

On the 2nd day of July in the year 2019, before me, the undersigned, personally appeared Mr. Oren Segal, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his individual capacity, and that by his signature on the instrument, the individual executed the instrument.



Notary Public **STEVEN M. FREEMAN**
NOTARY PUBLIC, State of New York
No. 02FR4841545
Qualified in Suffolk County
Commission Expires January 31, 2022